

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	
	)	Crim. No. 24-cr-10071-FDS
ERIC TABARO NSHIMIYE,	)	
	)	
Defendant.	)	

**GOVERNMENT’S STATUS REPORT AND RENEWED MOTION TO DENY  
REQUEST FOR LETTERS ROGATORY**

Presently before the Court is defendant Eric Nshimiye’s request for three letters rogatory seeking broad discovery from the Rwandan Ministry of Justice, the ICTR, and the ICTR’s Office of the Prosecutor. ECF No. 132. The District Court referred this matter to this court November 6, 2025, ECF No. 131, after expressing its view that the requested letters were overbroad. Upon its review of the requested letters, this Court expressed similar views about the letters’ overbreadth and lack of specificity but nonetheless urged the government to seek on defendant’s behalf certain materials from the Rwandan Ministry of Justice and the ICTR. The government has since made those requests. The government agreed to do so as a courtesy to the defendant—not because he is legally entitled to the materials he seeks—and upon defendant’s representation that the requests could be easily and swiftly complied with.

The government also made these requests with the understanding that they would *not* be the basis to continue the trial. No sooner had the government made the requests, however, than the defendant did exactly that: he asked the District Court to continue the trial for six months solely on the basis of the outstanding courtesy requests made by the government. ECF No. 158. The defendant’s motion to continue left little doubt as to the true purpose of the letters: a fishing expedition and discovery device by which the defendant merely *hopes* to find helpful information.

Having already communicated the March trial date to its many Rwandan witnesses and having begun making preparations from their travel to the United States, the government has opposed the defendant's request. ECF No. 159.

After nearly two years of litigation, it is time to put to rest the issue of defendant's legally unfounded request for letters rogatory. The Defendant has now submitted multiple rounds of letters rogatory requests—and at each step been informed by this Court and the District Court that the requests are overbroad and lack specificity. There is no legitimate basis to continue to entertain these requests, particularly now that the government has, at the court's urging, sought many of the records on the defendant's behalf. Accordingly, and for all the reasons set forth in the government's previous objections, *see* ECF Nos. 137 and 148, the government respectfully asks the Court to deny defendant's request for letters rogatory so that this case may proceed to trial.

Respectfully submitted,

LEAH B. FOLEY  
United States Attorney

By: /s/ Jason A. Casey  
Jason A. Casey  
Christopher Looney  
Assistant U.S. Attorneys

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Jason A. Casey  
Jason A. Casey  
Assistant U.S. Attorney